REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: April 4, 2006

ANALYST: Jennifer E. Pittman

I. COMMITTEE:

Jane Hague for Congress

C00391011

Lindsey Echelbarger, Treasurer

8554 122nd Avenue Northeast, PMB 145

Kirkland, WA 98033

II. RELEVANT STATUTE:

2 U.S.C. §432(b)(3)

2 U.S.C. §432(c)(5)

2 U.S.C. §432(h)(1)

2 U.S.C. §434(b)(4)(G)

2 U.S.C. §434(b)(6)(A)

2 U.S.C. §439(a)

III. BACKGROUND:

Other Violations of the Federal Election Campaign Act (Unauthorized Disbursements of Committee Funds)

Jane Hague for Congress ("the Committee") filed the following reports to disclose the apparent unauthorized disbursement of Committee funds totaling \$56,209.82 during the 2003-2004 election cycle: Amended 2003 Year End Report, Amended 2004 April Quarterly Report, Amended 2004 July Quarterly Report, Amended 2004 October Quarterly Report, and an Amended 2004 Year End Report (Attachment 2).

On November 1, 2005, Brett Bader, a consultant for Jane Hague for Congress ("the Committee"), called a Reports Analysis Division (RAD) analyst to discuss the Committee's recent discovery of embezzlement. Mr. Bader explained that the Committee's previous reports disclosed refunds to contributors even though these disbursements never occurred. Instead, a Committee employee was embezzling the money. He added that the Committee contacted the U.S. Attorney's Office about the embezzlement and eventually, full restitution was paid back by the employee to the Committee. The restitution payment was placed in a trust account established by the Committee's attorney. Mr. Bader asked the Analyst what the Committee should do in order to report the restitution payment and comply with the law. The Analyst then advised Mr. Bader that the Committee should amend the affected reports to disclose the

unauthorized disbursements. The Analyst also advised Mr. Bader on how to report the restitution payment. Mr. Bader said that he did not know which of the previously disclosed disbursements had been affected, but that the Committee's attorneys and auditors would know the correct disbursement information. The Analyst advised Mr. Bader to contact the Committee's assigned analyst when he was ready to file the amended reports. Mr. Bader also asked about the imposition of Commission fines, but the Analyst stated that he could not comment on the final outcome of the situation (Attachment 3).

On November 9, 2005, Mr. Bader called the Committee's assigned RAD analyst to further discuss the Committee's embezzlement issue. He stated that Jennifer Hildebrand, a Committee employee, embezzled approximately \$80,000.00 from the Committee's account. Mr. Bader mentioned that while the U.S. Attorney's Office would not file formal charges against Ms. Hildebrand, the King County State's Attorney's Office was still considering the option. Mr. Bader stated that Ms. Hildebrand eventually paid restitution to the Committee and that restitution would soon be transferred from a trust account into the Committee's campaign account. Mr. Bader wanted to know how to report this restitution. The Analyst then advised Mr. Bader on how the Committee must amend its previous filings to disclose the correct disbursement information. Mr. Bader informed the Analyst that he would be filing all amendments with the January 2006 filings and that he would call back before the end of January 2006 to confirm that the Committee was filing correctly (Attachment 3).

On December 28, 2005, Mr. Bader called and left a voice message for the RAD analyst, referencing the Committee's embezzlement issue. The Analyst returned the call but was unable to reach Mr. Bader (Attachment 3).

On December 29, 2005, Mr. Bader called to inform the RAD analyst, among other matters, that the King County State's Attorney's Office decided to pursue charges against Jennifer Hildebrand for embezzling campaign funds from the Committee. Mr. Bader stated that he would contact the Analyst in January 2006 to make sure the Committee was disclosing the restitution of unauthorized transactions correctly on the Year End Report (Attachment 3).

On January 9, 2006, Mr. Bader called the RAD analyst to discuss how to properly disclose the unauthorized disbursements and to introduce Jeff Davis¹, an individual hired by the Committee to correct and file the amended reports. The Analyst assisted Mr. Davis with his electronic filing inquiries. Mr. Bader then informed the Analyst that there were approximately 50 unauthorized checks written from the Committee's account by Jennifer Hildebrand to herself and to her children's day care provider. The Analyst suggested to Mr. Bader that the Committee file a Form 99 (Miscellaneous Electronic Submission) with its amended reports to explain the amendments and to affirm that full restitution was paid by Ms. Hildebrand. Mr. Bader said that he would contact the Analyst once the Committee was ready to file the necessary amendments (Attachment 3).

On January 27, 2006, Mr. Davis called a RAD analyst for further guidance on amending the Committee's reports to disclose the embezzled disbursements and restitution receipts. Mr.

¹ Please note that a "Jeffrey Davis" was also listed as the Deputy Treasurer on the Committee's Statement of Organization filed on October 7, 2003.

Davis stated that he would call the Committee's assigned Analyst the next business day for further assistance (Attachment 3).

On January 30, 2006, Mr. Davis made two calls to the assigned RAD analyst concerning the Committee's amendments for reports filed in 2003, 2004, and 2005. Mr. Davis and the RAD analyst discussed how to report the restitution receipts and how to amend the previous disbursements to reflect the payments made to Jennifer Hildebrand (Attachment 3).

On January 31, 2006, Mr. Davis called the RAD analyst to seek guidance on electronic filing (Attachment 3).

On January 31, 2006, the Committee filed the 2005 Year-End Report covering the period of October 1, 2005 through December 31, 2005. The report disclosed \$0.00 on Line 14 (Offsets to Operating Expenditures" and \$0.00 on Line 17 (Operating Expenditures) of the Detailed Summary Page (Image 26990269524).

On February 1, 2006, the RAD analyst called and left a voice message for Mr. Davis to discuss why the restitution payment from Jennifer Hildebrand was not disclosed on the 2005 Year-End Report (Attachment 3).

On February 3, 2006, Mr. Davis called the RAD analyst to discuss the 2005 Year End Report, filed on January 31, 2006. Mr. Davis stated that the wire transfer from the trust account to the Committee's bank account took place on January 20, 2006, a date that fell outside the 2005 Year-End Report coverage period. Mr. Davis informed the Analyst that the restitution payment from Jennifer Hildebrand will appear as receipts on the Committee's 2006 April Quarterly Report. Mr. Davis also stated that the Committee was expected to file amendments within 72 hours on previously filed reports to disclose the unauthorized transactions by Jennifer Hildebrand (Attachment 3).

On February 7, 2006 at 13:45, Mr. Davis called to inform the RAD analyst that the Committee would be filing amendments that day to correct the disbursement information for all quarterly reports filed in 2003, 2004 and 2005 (Attachment 3).

At 21:06 on February 7, 2006, the Committee filed a miscellaneous text submission to explain why the Committee filed amended reports dating back to 2003. The Committee stated that "These amendments are required to fully disclose recently identified unauthorized expenditures made in that period by Jennifer Hildebrand, who operated during these years as an agent of the campaign." The Committee further explained that "the unauthorized expenditures were made for the personal benefit of Ms. Hildebrand and were hidden from the Committee until 2005. In order to provide the most complete and accurate information for these periods, the Jane Hague for Congress Committee hired an independent certified public accountant to conduct an extensive audit of all campaign accounts to determine the true and full extent of the unauthorized expenditures². These amended reports represent the most accurate accounting of all

² In telephone conversations with RAD, Committee representatives stated that Jennifer Hildebrand embezzled approximately \$80,000.00 using 50 separate campaign checks. The amended 2003-2004 Committee reports filed on February 7, 2006, indicate that a total of \$56,209.82 was embezzled using 51 campaign checks. A February 8, 2006

expenditures, both authorized and unauthorized, made during these periods." The Committee added that Ms. Hildebrand paid restitution to the Committee and that the payment will be disclosed on the 2006 April Quarterly Report. The text also included a list of quarterly reports amended by the Committee (Image 26990295575).

At 21:11 on February 7, 2006, the Committee filed an amended 2003 Year-End Report covering the period of October 1, 2003 through December 31, 2003. The report disclosed five (5) memo disbursements totaling \$5,405.34 to "Jennifer Hildebrand" and one (1) disbursement totaling \$1,200.00 to "Montessori Children's House" on Schedule B (Itemized Disbursements) supporting Line 17 (Operating Expenditures). These disbursements were referenced in memo entries as "unauthorized disbursement by Jennifer Brzusek-Hildebrand to Jennifer Brzusek-Hildebrand for personal benefit. Restitution made and shown on First Quarter 2006 report." (Image 26990295576).

At 21:14 on February 7, 2006, the Committee filed an amended 2004 April Quarterly Report covering the period of January 1, 2004 through March 31, 2004. The report disclosed six (6) disbursements totaling \$7,259.38 to "Jennifer Hildebrand" as memo entries on Schedule B (Itemized Disbursements) supporting Line 17 (Operating Expenditures). These disbursements were referenced in memo entries as "unauthorized disbursement by Jennifer Brzusek-Hildebrand to Jennifer Brzusek-Hildebrand for personal benefit. Restitution made and shown on First Ouarter 2006 report." (Image 26990295681)

At 21:17 on February 7, 2006, the Committee filed an amended 2004 July Quarterly Report covering the period of April 1, 2004 through June 30, 2004. The report disclosed nine (9) disbursements totaling \$15,035.93 to "Jennifer Hildebrand" as memo entries on Schedule B (Itemized Disbursements) supporting Line 17 (Operating Expenditures). These disbursements were referenced in memo entries as "unauthorized disbursement by Jennifer Brzusek-Hildebrand to Jennifer Brzusek-Hildebrand for personal benefit. Restitution made and shown on First Quarter 2006 report." (Image 26990295735)

At 21:20 on February 7, 2006, the Committee filed an amended 2004 October Quarterly Report covering the period of July 1, 2004 through September 30, 2004. The report disclosed a total of \$19,047.17 in disbursements made to "Jennifer Hildebrand" as memo entries for three (3) disbursements on Schedule B (Itemized Disbursements) supporting Line 17 (Operating Expenditures) and for fourteen (14) disbursements on Schedule B (Itemized Disbursements) supporting Line 20(a) (Refunds of Contributions to Individuals). These disbursements were referenced in memo entries as "unauthorized disbursement by Jennifer Brzusek-Hildebrand to Jennifer Brzusek-Hildebrand for personal benefit. Restitution made and shown on First Quarter 2006 report." (Image 26990295755).

At 21:24 on February 7, 2006, the Committee filed an amended 2004 Year End Report covering the period of October 1, 2004 through December 31, 2004. The report disclosed a total of \$8,262.00 in disbursements made to "Jennifer Hildebrand" as memo entries for three (3)

[&]quot;Seattle Times" article states that Jennifer Hildebrand admitted to stealing \$144,877.00 in campaign funds from two of Jane Hague's county council campaigns and from her 2004 congressional campaign (See attachment 4 for the Seattle Times article).

disbursements on Schedule B (Itemized Disbursements) supporting Line 17 (Operating Expenditures) and for ten (10) disbursements on Schedule B (Itemized Disbursements) supporting Line 20(a) (Refunds of Contributions to Individuals). These disbursements were referenced in memo entries as "unauthorized disbursement by Jennifer Brzusek-Hildebrand to Jennifer Brzusek-Hildebrand for personal benefit. Restitution made and shown on First Quarter 2006 report." (Image 26990295804)

To date, no further communication has been received from the Committee regarding these matters.

DATE 4/04/2006 PAGE 1

ID #H4WA01191

ANE HAGUE FOR CONGRESS

AGUE, JANE

INDSEY ECHELBARGER
ILING FREQUENCY: QUARTERLY

8554 122ND AVE NE PHB 145

KIRKLAND

HOUSE WA 98033 ID #C00391011

ORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAG	GE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS	ВҮ
1		N		10/07/2003	5	23038212653								
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3	Q3	A		2/07/2006	49	26990295755	7/01/2004	9/30/2004	63403	12	48764	14651		0
3	YE	N	P	1/28/2005	19	25970039504	10/01/2004	12/31/2004	7284	6984	14180	87		-
3	YE	A		2/07/2006	21	26990295804	10/01/2004	12/31/2004	14651	2	14630	22		0
								TOTAL		245941	245918			

DATE 4/04/2006 PAGE 1

ID #H4WA01191

ANE HAGUE FOR CONGRESS

AGUE, JANE

INDSEY ECHELBARGER
ILING FREQUENCY: QUARTERLY

8554 122ND AVENUE NORTHEAST

KIRKLAND

HOUSE WA 98033 ID #C00391011

DRM TYPE	RPT TYP	E AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAG	GE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
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2804													

Jane Hague for Congress (C00391011)
Unauthorized Disbursements of Committee Funds 2003-2004 General Election

Amended Disbursement Name	Jennifer Hildebrand	Montessori Children's House	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand
Original Disbursement Name	Madison Communications	Madison Communications	James Sils	Madison Communications	Madison Communications	Madison Communications	Keelan Communications	Madison Communications	Livengood Fitzgerald Alskoy	Madison Communications	Jennifer Hildebrand	Jennifer Hildebrand	Jennifer Hildebrand	Madison Communications	Keelan Communications	Patton Boggs	Patton Boggs	Madison Communications	Al DeYoung	Roy Simperman	DRT Properties	Jennifer Hildebrand	Madison Communications	Jennifer Hildebrand	Dan Brzusek	John Stanton	Lindsay Echelbarger	Gary Young	Severt Thurston	Stan McNaughton	George & Patricia Hall	John & Sarah Rindlaub	Victor Odermat
Line	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	20(a)	20(a)	20(a)						
Report	2003 YE	2003 YE	2003 YE	2003 YE	2003 YE	2003 YE	2004 Q1	2004 Q1	2004 Q1	2004 Q1	2004 Q1	2004 Q1	2004 Q2	2004 Q2	2004 Q2	2004 Q2	2004 Q2	2004 Q2	2004 Q2	2004 Q2	2004 Q2	2004 Q3	2004 Q3	2004 Q3	2004 Q3	2004 Q3	2004 Q3	2004 Q3	2004 Q3	2004 Q3	2004 Q3		2004 Q3
Date	10/13/2003	10/13/2003	10/15/2003	10/15/2003	10/27/2003	11/21/2003	1/05/2004	1/18/2004	2/25/2004	3/04/2004	3/05/2004	3/07/2005	4/05/2004	4/09/2005	5/01/2004	5/10/2004	5/15/2004	6/16/2004	6/20/2004	6/21/2004	6/21/2004	8/04/2004	9/05/2004	9/11/2004	7/01/2004	7/22/2004	8/01/2004	8/01/2004	8/01/2004	8/01/2004	8/02/2004	8/04/2004	8/04/2004
Disbursement Amount	\$1,025.00	\$1,200.00	\$1,000.00	\$1,763.37	\$1,041.72	\$575.25	\$1,000.00	\$739.24	\$974.36	\$1,045.78	\$2,500.00	\$1,000.00	\$3,500.00	\$745.00	\$1.700.00	\$2,315.85	\$1,232.54	\$3,542.54	\$500.00	\$1,000.00	\$500.00	\$1,750.00	\$1,897.17	\$2,000.00	\$500.00	\$1,000.00	\$500.00	\$2,000.00	\$1,500.00	\$350.00	\$350.00	\$1,400.00	\$1,500.00

Attachment 2

Jane Hague for Congress (C00391011)
Unauthorized Disbursements of Committee Funds 2003-2004 General Election (Continued)

	Unauthorized Disbursements			Total	\$56,209.82
Jennifer Hildebrand	James Nall	20(a)	2004 YE	11/29/2004	\$350.00
Jennifer Hildebrand	Barbara Nelson	20(a)	2004 YE	11/26/2004	\$762.00
Jennifer Hildebrand	Bob Gillespie	20(a)	2004 YE	11/17/2004	\$500.00
Jennifer Hildebrand	Dona Keating	20(a)	2004 YE	11/09/2004	\$450.00
Jennifer Hildebrand	Scott Morris	20(a)	2004 YE	10/25/2004	\$1,150.00
Jennifer Hildebrand	Dick & Rosanne Zemp	20(a)	2004 YE	10/22/2004	\$500.00
Jennifer Hildebrand	Rollin Fatland	20(a)	2004 YE	10/18/2004	\$500.00
Jennifer Hildebrand	Eugene Elvin	20(a)	2004 YE	10/15/2004	\$500.00
Jennifer Hildebrand	Howard Hewitt	20(a)	2004 YE	10/12/2004	\$1,200.00
Jennifer Hildebrand	Kevin & Krista Hughes	20(a)	2004 YE	10/01/2004	\$1,500.00
Jennifer Hildebrand	Jennifer Hildebrand	41	2004 YE	12/01/2004	\$200.00
Jennifer Hildebrand	Jennifer Hildebrand *	42	2004 YE	11/22/2004	\$300.00
Jennifer Hildebrand	Jennifer Hildebrand	۷١	2004 YE	10/15/2004	\$350.00
Jennifer Hildebrand	Roger Hancuff	20(a)	2004 03	9/25/2004	\$350.00
Jennifer Hildebrand	Linda Nordstrom	20(a)	2004 Q3	9/15/2004	\$1,250.00
Jennifer Hildebrand	Daniel & Diane Hesse	20(a)	2004 Q3	9/15/2004	\$350.00
Jennifer Hildebrand	Jim Bricker	20(a)	2004 Q3	8/04/2004	\$350.00
Jennifer Hildebrand	James Wiborg	20(a)	2004 Q3	8/04/2004	\$2,000.00
		Number		3	Amount
Amonded Dishursoment Name	Original Dishiresmont Name		1, 0		

^{*} This disbursement is not disclosed on the original 2004 Year End Report.

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Wednesday, February 8, 2006 - 12:00 AM



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Ex-aide charged in theft of thousands in campaign funds

By Keith Ervin Seattle Times staff reporter

A former campaign aide to Metropolitan King County Councilwoman Jane Hague was charged with theft Tuesday, after prosecutors said she admitted stealing \$144,877 in campaign funds.

Jennifer Rene Hildebrand, who at various times acted as treasurer and campaign manager, embezzled the money between 1997 and 2004 from two of Hague's successful County Council re-election campaigns and from her aborted 2004 run for Congress, King County prosecutors said.



Councilwoman Jane Hague said former aide appeared "scattered" at times.

Hildebrand, the daughter of longtime family friends of Hague's, admitted to the councilwoman early last year that she had taken an unspecified amount of money from campaign accounts, according to a sworn certification of probable cause signed last month by Scott A. Peterson, senior deputy prosecuting attorney.

Hildebrand, 36, of Sammamish has paid \$190,606 in restitution, prosecutors say. The payments cover all the known losses and a portion of the \$121,000 Hague has spent on a financial audit and on legal fees for an internal inquiry and negotiations for the restitution.

Hildebrand on Tuesday referred a call to her attorney, Scott A. Hughes, who declined to comment on the charge. However, Hughes said, "Not all the facts alleged in the probable cause statement are correct."

Hague, R-Bellevue, said she became aware of the alleged thefts in January 2005 and said she wasn't sure all of the problems have been detected. Some records haven't been found, she said.

Within days after Hildebrand allegedly told Hague that she took the money, Hague's attorney began notifying authorities, said her campaign spokesman, Brett Bader. County prosecutors didn't file charges until Hague completed her own investigation and negotiated a restitution agreement with Hildebrand.

State Public Disclosure Commission (PDC) Executive Director Vicki Rippie said Tuesday she wasn't aware of any previous case of campaign embezzlement in Washington state.

Hague said Tuesday she became concerned about campaign finances after she dropped out of the 1st Congressional District race in February 2004, and told Hildebrand to write refund checks to large contributors.

According to Hague, Hildebrand told her she had mailed those checks, but donors kept telling Hague they hadn't received them. Hague said she asked Hildebrand to bring financial records to her house last January.

Hague said Hildebrand showed up without the records, and told her she had taken funds from the two County Council campaigns she had worked on — campaign's in which Hague said she hadn't suspected any improprieties.

Hague said Hildebrand sometimes seemed "scattered" and inattentive to details, but, "There was no reason to believe that there was the level of deceit and fraud that was going on. ... It was astounding, the extent and level of deceit and misdirection."

Hague spoke by telephone from Washington, D.C., where she is lobbying the state's congressional delegation on behalf of the county.

Hague spokesman Bader, of Madison Communications, where Hildebrand once worked, said Hildebrand sometimes overstated the amount of a payment to a vendor and wrote checks to herself for the difference between the reported payments to the vendor and the actual amounts paid. Bader is familiar with Hague's inquiry.

Hague has submitted a report to the PDC that claims Hildebrand also wrote checks from Hague campaign accounts to her credit-card company. Capital One, her cellphone provider, Voicestream, and to her children's day-care provider.

PDC chief Rippie, asked if her agency might take enforcement action against Hildebrand or the Hague campaign, said, "It sounds as though it is in the appropriate place [the prosecutor's office] with respect to resolving this particular issue."

Hague said she is contacting about 50 donors in line for refund checks from the congressional campaign "and advising them that finally the checks will be in the mail."

Hague said the thefts won't deter her from running for re-election to the council in 2007. "I plan on it," she said. "I've already had my first kickoff and did quite well."

